

Introduction to Army Accident Investigation and Reporting



References

- DODI 6055.7, *“Accident Investigation, Reporting, and Record Keeping”*
- AR 385-10, *The Army Safety Program*, 23 Aug 07 [RAR 001 2008/11/07]
- DA Pam 385-10, *Army Safety Program*, 24 Aug 2008 [RAR 15 Dec 08]
- DA Pam 385-40, *Army Accident Investigation and Reporting*, 1 Nov 94

Terminal Learning Objective

Action: Describe Army accident investigation and reporting requirements.

Conditions:

During group discussions

Standards:

As a minimum, policies, classifications, reporting, and accountability for Army accidents must be correctly described .

Lesson Data

Classroom Safety Requirements: None

Lesson Risk Assessment Level: Low

Environmental Considerations: None

Evaluation:

You will be evaluated on your participation during class and your responses to the checks on learning.

Overview

- Statutory and regulatory policy regarding Safety and Accident Investigation
- Army accidents and classifications
- Reporting requirements
- Accountability for Army accidents
- Categories of accident investigation reports
- Legal action investigations
- Release of information

Legal Requirements for Safety

Public Law 91-596

Executive Order 12196

29 CFR 1960

DODI 6055.1

DODI 6055.7

AR 385-10

DA Pam 385-10

**Establishes
and defines
statutory
requirements
for**

**occupational
health and
safety**

Requirements for DoD Safety

Public Law 91-596

Executive Order 12196

29 CFR 1960

DODI 6055.1

DODI 6055.7

AR 385-10

DA Pam 385-10

**Subject: DoD
Safety and
Occupational
Health (SOH)
Program**

DOD Requirements for Investigation

Public Law 91-596

Executive Order 12196

29 CFR 1960

DODI 6055.1

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AR 385-10

DA Pam 385-10

**Subject:
Accident
Investigation,
Reporting, and
Record Keeping**

Army Requirements for Investigation

Public Law 91-596

Executive Order 12196

29 CFR 1960

DODI 6055.1

DODI 6055.7

AR 385-10

DA Pam 385-10

The Army Safety Program

Implements the above to comply with OSHA and for investigating and reporting accidents

Army Requirements for Investigation

Public Law 91-596

Executive Order 12196

29 CFR 1960

DODI 6055.1

DODI 6055.7

AR 385-10

DA Pam 385-10

Army Safety Program

Implements Army and Federal regulations and law to protect the Army's personnel and resources

Purpose for Accident Investigation

- Army policy
 - Investigate and report Army accidents **to prevent like occurrences**
 - Help ensure the safest workplace possible



What is an Army Accident?



Army Accident

- An unplanned event or series of events that result in one or more of the following:
 1. Occupational illness to Army military or Army civilian personnel
 2. Injury to on-duty Army civilian personnel
 3. Injury to Army military on- or off-duty

Army Accident

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- An unplanned event or series of events that result in one or more of the following:
 4. Damage to Army property
 5. Damage to public or private property, and/or injury or illness to non-Army personnel caused by Army operations (the Army had a causal or contributing role in the accident)

Army Accident Classifications

- Accident classes are used to determine:
 - Appropriate investigative and reporting procedures
- Seven classifications
 - Classes A through F

AR 385-10, Para 3-4

Army Accidents – Class A

- Resulting total cost of property damage is \$1,000,000 or more
 - Army aircraft or missile is destroyed, missing, or abandoned
 - »Note: Unmanned Aircraft System (UAS) accidents are classified based on the cost to repair or replace the UAS
- Injury and/or occupational illness resulting in a fatality or permanent total disability

Army Accidents – Class B

- Resulting total cost of property damage is \$200,000 or more but less than \$1,000,000
- Injury and/or occupational illness results in permanent partial disability
- Three or more personnel are inpatient hospitalized from a single occurrence

Army Accidents – Class C

- Resulting total cost of property damage is \$20,000 or more but less than \$200,000
- Nonfatal injury or occupational illness
 - Causing one or more days away from work or training beyond the day or shift on which it occurred
 - Causing disability at any time

Army Accidents – Class D

- Total cost of property damage is \$2,000 or more but less than \$20,000
- Nonfatal injury or illness, for example:
 - Resulting in restricted work, job transfer, medical treatment greater than first aid
 - Needle stick injuries or cuts from contaminated sharps

Army Accidents – Class E

- ***Class E – Aviation Accident***



- Resulting total cost of property damage is less than \$2,000

Class E – Aviation ***Incident***

- Mission (either operational or maintenance)
 - Is interrupted or not completed due to a fair wear and tear failure or malfunction of a component or part
 - Intent for flight may or may not exist
- Fair wear and tear failure or malfunction of items found on preflight or postflight inspections do not apply

Class F – Aviation ***Incident***

- Foreign Object Damage (FOD)
 - Recordable incidents are confined to ***aircraft turbine engine damage*** only as a result of internal or external FOD






Check on Learning

- What is the purpose of classifying an accident?
 - To determine the appropriate investigative and reporting procedures

Check on Learning

- What is a Class A accident?
 - Total cost of property damage is \$1,000,000 or more
 - An Army aircraft or missile is destroyed, missing, or abandoned
 - Or an injury and/or occupational illness results in a fatality or permanent total disability

Unplanned Events (Accidents) to Report

-  Injuries and Occupational Illnesses
-  Damage to Army Property
-  Damage to Public or Private Property

Note: Commanders will investigate unplanned events and make the decision as to whether the event is an accident, combat loss, or some other category of loss IAW AR 385-10, Para. 3-5.

Events NOT Reportable Through Safety Channels

- Combat losses
- Fair wear and tear
- Expected damage
- Intentional controlled jettison
- Vandalism, riots, civil disorders



Events NOT Reportable Through Safety Channels

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- Deliberate damage to aircraft or equipment
- Commercial carriers
- Army equipment leased, on bailment, or loaned
- Non-occupational injuries/illnesses
- Suicide/Self-inflicted injuries



Events NOT Reportable Through Safety Channels

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- Criminal assault
- Prior-service injuries
- Infective and parasitic diseases and poisonings
- Strains
- Hospitalization for administration or observation only



Events NOT Reportable Through Safety Channels

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- Escape from custody
- Death due to natural causes
- Adverse reactions from the use of prescribed drugs
- Death or injury resulting solely from the use of alcohol, illegal drugs, or other substances
- Pre-existing injuries or illnesses



Purpose of Accountability for Accidents

- Address the most likely organization to initiate or recommend corrective actions

Order of Precedence for Accountability

1. Unit having operational control of equipment
2. Unit having operational control of most responsible person
3. Unit to which the injured person is assigned

Exceptions to Accountability for Accidents

- Design-induced failure or malfunction
 - Materiel accident
- Environmental factors
 - High winds, hail, lightning, etc.
- Special cases as specified in AR 385-10, paragraph 3-9

Accountability for Accidents – Resolving Conflict

- Dispute over accountability goes to the Director of Army Safety (DASAF)
- DASAF will make final determination for accountability based on:
 - Teardown & Analysis Results
 - Recommendations and analysis by the accident investigation board
 - Analysis of the accident report
 - Analysis of the deficiency and/or improvement reports
 - Any combination of the above

Categories of Accident Investigation Reports

- Limited Use Safety Accident Investigation Reports
- General Use Safety Accident Investigation Reports
- Safety and Legal Accident Investigation Reporting

Accident Investigation Reports

- Limited Use Safety Accident Investigation Reports
 - All flight and fratricide/friendly fire
 - Confidentiality applies
- General Use Safety Accident Investigation Reports
 - All other accidents
 - Promises not given for exemption from Freedom of Information Act (FOIA)

Accident Investigation Reports

Continued

- Safety and Legal Accident Investigation Reporting
 - Commanders may initiate a legal accident investigation (formerly known as a collateral investigation)
 - Safety accident investigation has priority over a legal accident investigation

Legal Accident Investigations

- Conducted independently and apart from safety investigation
- Used to collect and preserve evidence for use in legal and administrative proceedings
- Safety personnel
 - Will not conduct, review, evaluate, assist with, or maintain collateral investigations
 - Shall have access to collateral investigation information

Safety Accident Investigation Reports

- Official documents used solely for accident prevention purposes
- Accident reports may **not** be used for:
 - Determining misconduct or line of duty
 - Flight evaluation boards
 - Determining liability
 - Determining pecuniary liability
 - Any other adverse personnel action

Release of Report Information

- USACRC may release reports under FOIA
- Local offices may release Class D after consulting with Staff Judge Advocate (SJA)
- Members of Congress go through HQDA
- Non-DoD Federal agency requests go through USACRSC SJA
- Subpoenas referred to SJA

Release of Report Information

Continued

- Requests for access to Accident reports from other staff and DoD organizations and commands may be releasable
 - If sole purpose is for accident investigation
- If not solely for accident investigation the release excludes:
 - Findings, recommendations and analysis
 - Contents of witness statements
 - Medical records

What are Your Questions?



Check On Learning

- What accidents and/or incidents should be reported?
 - Injuries and occupational illnesses
 - Damage to Army property
 - Damage to public or private property

Summary

- Statutory and regulatory policy regarding Safety and Accident Investigation
- Army accidents and classifications
- Reporting requirements
- Accountability for Army accidents
- Categories of accident investigation reports
- Legal action investigations
- Release of information

Conclusion

- For additional information for implementing procedures and instructions, refer to:

DA Pam 385-40, *Army
Accident Investigation and
Reporting*, November 1994